

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT H. NESBITT, JR.,

Plaintiff,

No. CIV S-03-2243 MCE DAD P

vs.

NEIL WAKABAYASHI, et al.,

Defendants.

ORDER

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Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action pursuant to 42 U.S.C. § 1983. Both parties have filed pretrial statements in this matter. In his pretrial statement, plaintiff has expressed his belief that a settlement conference would be helpful. Similarly, defendants have indicated in their pretrial statement that they are willing to participate in a settlement conference.

Accordingly, IT IS HEREBY ORDERED that:

1. Within thirty days of the date of this order, each party shall notify the court in writing as to whether they wish to proceed with a settlement conference before the undersigned magistrate judge or before a randomly-assigned settlement judge. If the parties wish to proceed with a settlement conference before the undersigned magistrate judge, each party shall return to the court the waiver of disqualification form provided with this order. If any party does not wish

1 to proceed with a settlement conference before the undersigned magistrate judge and would  
2 prefer a settlement conference before a randomly-assigned settlement judge, they shall file a  
3 declaration stating such; and

4               2. The Clerk of Court is directed to send each party the waiver of disqualification  
5 form with respect to settlement conferences.

6 DATED: May 24, 2010.

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9 DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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